

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 21, 2000

IN RE:

**COMPLAINT BY AT&T REGARDING THE
DELIVERY OF CALLER NAME SERVICES BY
BELLSOUTH TELECOMMUNICATIONS, INC.**

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DOCKET NO. 00-00971

ORDER OF HEARING OFFICER

On November 7, 2000, a meeting was held with the parties to Docket 00-00971, *Complaint by AT&T Regarding the Provision of Caller Name Services by BellSouth Telecommunications, Inc.* The meeting was called by Joe Werner, Hearing Officer, upon agreement of the parties. Appearing on behalf of the parties were Garry Sharp representing AT&T Local Services ("AT&T") and Guy Hicks, Esq. representing BellSouth Telecommunications, Inc. ("BellSouth"). In attendance at the meeting were Henry Walker, Esq. representing XO Tennessee, Inc. ("XO") and Southeastern Competitive Carriers Association and Dana Shaffer, Esq. representing XO. As documented in a letter from the Hearing Officer to the parties, the items for discussion were: 1) implementation of the interim solution; 2) briefs on the threshold issues and; 3) schedule for filing issues list. At the start of the meeting, the Hearing Officer reminded the parties that the purpose of the meeting was not to argue the merits of the case, only to address the above issues.

“The Interim Solution”

On October 30, 2000 AT&T, through a letter from Garry Sharp to David Waddell, Executive Secretary of the Tennessee Regulatory Authority, filed a complaint alleging that BellSouth was not delivering the caller’s name on calls made by customers of competitive local exchange carriers (“CLECs”). The complaint centers around a “large multi-state department store” who recently switched its service to AT&T. AT&T argues that the six-digit Global Title Translation (“GTT”) being done for CLECs by BellSouth is not sufficient to identify the customers name and number and that BellSouth is legally obligated to offer the 10-digit translation necessary to deliver the CLEC’s name and number. AT&T requests that “the TRA order BellSouth to provide AT&T such documentation as necessary in order to inform customers that BellSouth is correcting this problem and that BellSouth does not intend to use this problem to winback customers to BellSouth.”¹

BellSouth responded to AT&T’s complaint on November 3, 2000. BellSouth’s response acknowledges that the six-digit translation being done by BellSouth will not deliver a CLEC customer’s name but that it was in the process of implementing 10-digit GTT. According to the schedule provided by BellSouth, 10-digit GTT will be implemented in all Tennessee area codes by April 6, 2001. In the interim, BellSouth indicated that it will “store the names of CLEC’s customers in its database at no charge until the 10-digit Global Title Translation is available.”² BellSouth further acknowledged that the numbers of the customer referenced in AT&T’s complaint had been loaded in its CNAM database on October 27, 2000, and that the customer’s name was now being delivered. In its response, BellSouth

¹ AT&T complaint (October 30, 2000), paragraph 1.

² BellSouth response (November 3, 2000), page 3, paragraph 2.

provided correspondence to three Tennessee CLECs dated October 3, 2000, documenting the timetable for converting to the 10-digit Global Title Translation.³

When asked if the customer referenced in the complaint now has its name being delivered on calls to BellSouth customers, Mr. Sharp acknowledged that the customer's name is now being delivered "for the lines that had been converted."⁴ Mr. Sharp expressed concern that the interim solution was not working because the customer "had put orders for subsequent lines on hold." Mr. Sharp read from the customer's November 3, 2000 letter that said, in part, "if you do not get this problem resolved immediately, we'll move our service back to BellSouth."⁵ Mr. Sharp could not expand on what the "problem" was or what was needed to resolve the "problem."⁶ Based on the representations by the parties at the meeting, the customer in question is having its name delivered on calls to BellSouth customers and future lines added by this customer would be loaded into BellSouth's data base to enable delivery of the caller's name. While AT&T appears to have broad concerns regarding the "interim solution," the purpose of this particular meeting, in part, was to address a solution for the particular customer in question.

Threshold Issues

AT&T's complaint and BellSouth's response disagree on BellSouth's legal obligation to deliver callers' names specifically, whether BellSouth is obligated to perform the Global Title Translation at the 10-digit level. These are clearly threshold issues that must be decided before proceeding with this case. Therefore, the Hearing Officer requested that the parties brief the following issues:

³ BellSouth response (November 3, 2000), Exhibit 2

⁴ Transcript, page 27, line 14 and page 21, line 8.

⁵ Transcript, page 20, line 14.

⁶ Mr. Sharp indicated that he would file this letter with the Authority.

- 1) Is BellSouth legally obligated to provide CLECs with the elements necessary to deliver caller name services?
- 2) Is BellSouth legally obligated to provide CLECs with 10-digit, Global Title Translation?

The initial briefs on these issues are due November 22, 2000 at 2:00 p.m. with reply briefs due December 1, 2000 at 2:00 p.m.

Interventions

During the meeting, Mr. Henry Walker, made an oral motion to intervene in this matter on behalf of XO Communications stating that his client had experienced the same problems as discussed in the AT&T complaint and had a direct interest in the outcome of this matter. Mr. Walker also stated that he intended to intervene on behalf of the Southeastern Competitive Carriers Association ("SECCA").⁷

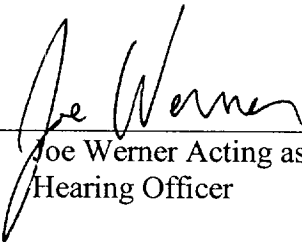
BellSouth objected to the motion stating that such intervention are attempts to expand the scope of the proceeding. The Hearing Officer asked Mr. Walker to file written petitions to intervene by the end of the day (November 7, 2000) and gave Bellsouth until 2:00 p.m. on November 13, 2000 to respond to such petitions. The Hearing Officer stated that upon review of the petitions and BellSouth's response, he would issue a ruling on the petitions. The Hearing Officer further stated that, if the petitions to intervene are granted, the intervenors would have the opportunity to participate in this matter including filing of briefs on the threshold issues identified by the Hearing Officer.

⁷ Transcript page 4, line 1.

The third item included on the agenda for this meeting, schedule for filing issues list, was not addressed during the meeting. This matter will be addressed subsequent to a ruling on the interventions.

IT IS THEREFORE ORDERED THAT:

1. The following threshold issues will be briefed by the parties: 1) Is BellSouth legally obligated to provide CLECs with the elements necessary to deliver caller name services?, and; 2) Is BellSouth legally obligated to provide CLECs with 10-digit, Global Title Translation?
2. Initial briefs are due by 2:00 p.m., November 22, 2000
3. Reply briefs are due by 2:00 p.m., December 1, 2000.
4. SECCA and XO Communications will file written petitions to intervene by 4:30 p.m., November 7, 2000.
5. All objections to the above petitions to intervene must be submitted by 2:00 p.m., November 13, 2000.



Joe Werner Acting as
Hearing Officer

ATTEST:



K. David Waddell, Executive Secretary